

# COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

U.S. Department of Commerce  
Patent and Trademark Office  
Attorney Docket 044508-5008

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## ACTIVATION OF HYPOXIA-INDUCIBLE GENE EXPRESSION

was filed as: PCT International Application No. PCT/US2004/037045 on November 8, 2004; and  
U.S. Patent Application No. 10/578,438 on May 5, 2006.

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### Prior Foreign Applications

Country	Application Number	Filing Date	Priority Claimed
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### U.S. Provisional Applications

U.S. Provisional Application No.	U.S. Filing Date
<u>60/517,918</u>	<u>November 7, 2003</u>

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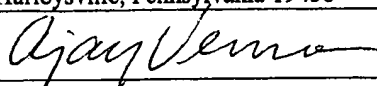
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Customer Number: 009629

Direct Telephone Calls To:  
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Robert Smyth, Ph.D.  
202-739-5139

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Full Name of First Inventor	Ajay Verma		
Residence	Harleysville, Pennsylvania	CITIZENSHIP	U.S.A.
Post Office Address	401 Hoffman Road Harleysville, Pennsylvania 19438		
First Inventor's Signature		DATE	3/13/07
Full Name of Second Inventor	Huasheng Lu		
Residence	Boys, Maryland	CITIZENSHIP	China
Post Office Address	18806 Broken Oak Road Boys, Maryland 20841		
Second Inventor's Signature		DATE	
Full Name of Third Inventor	Robert Forbes		
Residence	Princeton, New Jersey	CITIZENSHIP	U.S.A.
Post Office Address	243 Mt. Lucas Road Princeton, New Jersey 08540		
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Listing of Inventors Continued on attached pages ☒ Yes ☐ No

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Full Name of Fourth Inventor	Clifton Dalgard		
Residence	San Francisco, California	CITIZENSHIP	U.S.A.
Post Office Address	746 17th Avenue San Francisco, California 94121		
Fourth Inventor's Signature		DATE	
Full Name of Fifth Inventor	Ahmed Mohyeldin		
Residence	Washington, D.C.	CITIZENSHIP	U.S.A.
Post Office Address	1001 L St. NW Unit 602 Washington, D.C. 20001		
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Full Name of Sixth Inventor	Ronald Zenk		
Residence	Eden Prairie, Minnesota	CITIZENSHIP	U.S.A.
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Residence	Boys, Maryland	CITIZENSHIP	China
Post Office Address	18806 Broken Oak Road Boys, Maryland 20841		
Second Inventor's Signature			DATE 2/24/07
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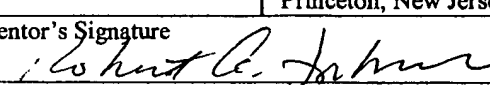
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Full Name of Sixth Inventor	<b>Ronald Zenk</b>		
Residence	Eden Prairie, Minnesota	CITIZENSHIP	U.S.A.
Post Office Address	10400 Viking Drive, Suite 100 Eden Prairie, Minnesota 55344		
Six Inventor's Signature		DATE	
Listing of Inventors Continued on attached pages <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**

U.S. Department of Commerce  
Patent and Trademark Office  
Attorney Docket **044508-5008**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**ACTIVATION OF HYPOXIA-INDUCIBLE GENE EXPRESSION**

was filed as: PCT International Application No. PCT/US2004/037045 on November 8, 2004; and  
U.S. Patent Application No. 10/578,438 on May 5, 2006.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office information which is material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations, 1.56.

I hereby authorize and request the attorneys empowered in this Declaration and Power of Attorney to insert above the serial number of the application identified above when known.

I hereby claim foreign priority benefits under Title 35, United States Code, 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate or 365(a) of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**Prior Foreign Applications**

Country	Application Number	Filing Date	Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefits under Title 35, United States Code 119(e) of any U.S. provisional applications listed below.

**U.S. Provisional Applications**

U.S. Provisional Application No.	U.S. Filing Date
60/517,918	November 7, 2003

I hereby claim the benefit under Title 35, United States Code, 120 of any United States application(s) or 365(c) of any PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to the patentability of claims presented in this application in accordance with Title 37, Code of Federal Regulations, 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:



**Prior U.S. Applications or PCT Applications Designating the U.S. for Benefit:**

U.S. Applications		Status		
U.S. Application No.	U.S. Filing Date	Patented	Pending	Abandoned
PCT Applications Designating the U.S.		Status		
PCT Application No.	International Filing Date	Published	Pending	Abandoned

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the registered practitioners of Morgan, Lewis & Bockius LLP included in the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number.

**Customer Number:** 009629

Direct Telephone Calls To:  
(name and telephone number)

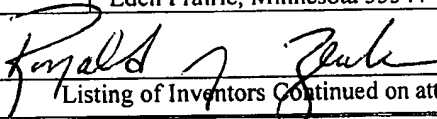
**Robert Smyth, Ph.D.**  
**202-739-5139**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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Second Inventor's Signature			DATE
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Third Inventor's Signature			DATE
Listing of Inventors Continued on attached pages <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			

Combined Declaration For Patent Application and Power of Attorney - (Continued)  
(includes Reference to PCT International Applications)

Attorney Docket 044508-5008

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Six Inventor's Signature			DATE 2/24/07
Listing of Inventors Continued on attached pages <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			